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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/923,954	08/08/2001	Shell S. Simpson	1008230-1	2018

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EXAMINER

BLACKWELL, JAMES H

ART UNIT	PAPER NUMBER
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2176

DATE MAILED: 05/24/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/923,954

Applicant(s)

SIMPSON ET AL.

Examiner

James H. Blackwell

Art Unit

2176

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 January 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) 13, 16 and 17 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-12, 14, 15 and 18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 08 August 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>04/22/05</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

This Office Action is in response to Amendment received 01/06/2005.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-12, 14-15, and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nehab et al. (hereinafter Nehab, U.S. Patent No. 6,029,182) in view of Ferrel et al. (hereinafter Ferrel, U.S. Patent No. 6,584,480).

In regard to independent Claim 1 (and similarly independent Claims 14, and 15), Nehab teaches WebFormatter. Nehab also teaches that when a user clicks on the icon for container (76), menu (77) is displayed. Menu (77) provides five options; i.e., Open (79), Empty (80), Print (81), Edit (82) and Save (84). These options are highlighted when activated (Col. 15, lines 66-67; Col. 16, lines 1-2). Open (79), when activated, displays Container Contents screen (87) shown in Fig. 9B. Container Contents screen (87) shows the URL addresses stored in container (76). Container contents screen (87) provides four buttons; i.e., Add current URL button (88) which adds the current URL to container (76), Delete button (89) which permits a user to highlight and delete a URL in container (76), Empty button (90) which permits a user to empty container (76), and Done button (91) which permits a user to close Container Contents screen (87) (Col. 16, lines 4-12). Nehab also teaches that Print (81), Edit (82) and Save (84), when activated

(receiving a request for a single composition composed of information from a plurality of different sources), cause WebFormatter to download all data (retrieving the information from each of a plurality of different sources) at Web pages defined by the URLs stored in container (76), format them as specified by the user, create RTF file(s) (creating the single composition by including the retrieved information into a composition). (Col. 16, lines 21-26). Nehab fails to teach *storing the single composition in a location associated with a user in such a manner that the single composition can be accessed via the identity of the user by a plurality of networked autonomous consumers, wherein the location is not a creation site for the composition.* However, Ferrel teaches a publisher producing content for a multimedia (images, drawings, sound, video, etc.) title from a publishing workstation. The publisher then “publishes” his work to the server where it is stored. From there, customers can request titles from the server. The publisher workstation is separate from the server. Ferrel does not specifically teach accessing the single composition via the identity of the user (in this case the publisher). However, each publisher produces content that is very likely associated with them directly, or with the agency they work for as is well known in the art. In addition, there can exist a number of publishers, and a number of authors working for those publishers (see Figs. 1, 11). It would have been obvious to one of ordinary skill in the art at the time of invention to combine the teachings of Nehab and Ferrel as both inventions relate to web publishing systems and authoring environments. Adding the teaching of Ferrel provides the benefit of storing content at a server for access by the public.

In regard to dependent Claim 2, Nehab teaches *the obtaining step comprises obtaining a reference to information at a different web site* in that container contents screen (87) provides four buttons; i.e., Add current URL button (88) which adds the current URL to container (76), Delete button (89) which permits a user to highlight and delete a URL in container (76), Empty button (90) which permits a user to empty container (76), and Done button (91) which permits a user to close Container Contents screen (87) (Col. 16, lines 4-12).

In regard to dependent Claim 3, Nehab does not specifically teach that *information is generated dynamically at the different web site, when the web site is accessed*. However, it would have been obvious to one of ordinary skill in the art at the time of invention to assume that any one or more of the URL's specified in Nehab's Container Contents screen (87) (shown in Fig. 9B) could have pointed to a web site whose pages were generated dynamically either in part or as a whole since Nehab's invention specifically deals with the generation of a personalized Newspaper; the content of news sources is commonly dynamic just as news itself is dynamic. The benefit would have been to provide the latest information to the user.

In regard to dependent Claim 4, Nehab teaches that *each of a plurality of the different sources are on different web sites from said assembling web site* in that a data retrieval system which can retrieve articles from a news service, from a magazine service, or from a combination of both services which are located on the World Wide Web, a private computer network that supports hypermedia links, or any other hypermedia-linked computer system is taught (Col. 1, lines 13-19).

In regard to dependent Claim 5, Nehab teaches *the obtaining step comprises accessing at least two different web sites and retrieving information therefrom* in that a data retrieval system which can retrieve articles from a news service, from a magazine service, or from a combination of both services which are located on the World Wide Web, a private computer network that supports hypermedia links, or any other hypermedia-linked computer system is taught (Col. 1, lines 13-19).

In regard to dependent Claim 6, Nehab teaches *the obtaining step comprises correlating the input information and/or selections from the imaging client to the plurality of different sources* in that WebFormatter is stand-alone utility software that can be used in conjunction with different Web browsers, such as Netscape, Mosaic and Internet Explorer (*all imaging clients*). In short, WebFormatter extracts data from a Web page, strips out extemporaneous data from the extracted data, and reformats the data into a formatted document. The formatted document can then be printed, stored in an RTF (Rich Text Format) file, or edited in any RTF compatible editor, such as MS Word, WordPerfect, Wordpad, etc. (Col. 13, lines 21-30).

In regard to dependent Claim 7, Nehab teaches *the receiving a request step comprises serving up content including a user interface to a user's browser to allow the input of information and/or selections* in that WebFormatter is stand-alone utility software that can be used in conjunction with different Web browsers, such as Netscape, Mosaic and Internet Explorer. In short, WebFormatter extracts data from a Web page, strips out extemporaneous data from the extracted data, and reformats the data into a formatted document. The formatted document can then be printed, stored in

an RTF (Rich Text Format) file, or edited in any RTF compatible editor, such as MS Word, WordPerfect, Wordpad, etc (Col. 13, lines 22-30).

In regard to dependent Claim 8, Nehab teaches that *the single composition designates a reference and/or information from one of the different sources for a different location in the composition relative to the reference and/or information from another of the different sources* in that Figs. 4 and 5 the process by which personal-news-profile (19) is defined. To create personal-news-profile (19), personal-news-profile editor (16) communicates with personal-news-profile (19), site profile (20), and Web reader (34). Personal-news-profile (19) contains information as to what sites to access for creating a personalized newspaper, what sections to retrieve from those sites, rules to be used to determine what data to extract from the sections and the articles therein, rules to determine how to exclude links, and newspaper format information (Col. 7, lines 23-34).

In regard to dependent Claim 9, Nehab teaches that *at least one of the sources is a file* in that in alternative embodiments of WebFormatter, a filename can also be entered into URL address field (44). For example, in these alternative embodiments, if a user wishes to format a hyper-linked manual into a book-like format, the user enters the filename into URL address field (44). Thereafter, WebFormatter proceeds through the file in the same manner as through specified Web pages in order to reformat the hyper-linked manual as desired (Col. 14, lines 36-42).

In regard to dependent Claim 10, Nehab teaches *the using step comprises serving the composition to an imaging client* in that WebFormatter is stand-alone utility

software that can be used in conjunction with different Web browsers, such as Netscape, Mosaic and Internet Explorer. In short, WebFormatter extracts data from a Web page, strips out extemporaneous data from the extracted data, and reformats the data into a formatted document. The formatted document can then be printed, stored in an RTF (Rich Text Format) file, or edited in any RTF compatible editor, such as MS Word, WordPerfect, Wordpad, etc (Col. 13, lines 22-30).

In regard to dependent Claim 11, Nehab teaches that *the using step comprises printing the composition* in that the invention also provides a method for synthesizing all retrieved news articles and printing the synthesized news articles into a newspaper-type format in which each of the articles is arranged based on a user's predefined layout (Col. 1, lines 30-34).

In regard to dependent Claim 12, Nehab does not teach that *the using step comprises sending the composition by email to a designated web site*. However, it would have been obvious to one of ordinary skill in the art at the time of invention to email the composition, just as one can email other documents, graphics, audio and video to a web site capable of handling email, allowing for the efficient transport of the contents of a composition to another web site for possible posting.

In regard to independent Claim 18, Claim 18 reflects the method for creating a customized composition at an assembling web site as claimed in Claim 1 (and similarly Claims 14, and 15) and is rejected along the same rationale.

Response to Arguments

Applicant's arguments with respect to claims 1-12, 14-15, and 18 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to James H. Blackwell whose telephone number is 571-272-4089. The examiner can normally be reached on Mon-Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph H. Feild can be reached on 571-272-4090. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

James H. Blackwell
05/12/05


JOSEPH FEILD
SUPERVISORY PATENT EXAMINER